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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,494	03/15/2001	Alexandra Keene	P/2167-230	5659

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EXAMINER

WEISBERGER, RICHARD C

ART UNIT PAPER NUMBER

3624

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/809,494

Applicant(s)

KEENE, ALEXANDRA

Examiner

Richard C Weisberger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 11-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-10 pending, claims 11-26 are withdrawn from consideration as non-elected.

Information Disclosure Statement

The examiner kindly acknowledges the response to the request for information under 37 C.F.R. 1.105.

Claim Rejections - 35 USC § 112

All rejections under this section have been satisfied.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over document entitled Positive Pay¹ in view of US Pub. 2001/0037315.

This rejection is responsive to the applicants response to the request for information.

The primary reference is cumulative to the applicant's admissions of the prior art. The secondary reference is cited to further complete the rejection. The prior art is directed to the positive pay system. The positive pay system teaches a method of notifying an exception client associated with a payor financial institution of an exception item, said method comprising: receiving a presentment check file, said presentment check file

¹ While the primary reference is not dated, the information within the authoring companies website teaches that teaching contained therein were introduced more than one year prior to the effective filing date of the instant application. This is consistent with the applicant's admissions of the state of the prior art alluded to in their specification and expanded on in their most recent remarks.

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including presentment information related to checks presented to said payor financial institution for payment; receiving a payor check file from said exception client, said payor check file including check information relating to checks written by said exception client; comparing said presentment check file with said payor check file thereby producing at least one exception item. (See AFS document, pages 1-2.) The prior art fails to teach of sending said exception client an e-mail notifying said exception client of said at least one exception item, generating a Web file, generating an address for said Web file; performing a scrubbing process, causing said address to expire at a predetermined time, sending an simple mail transfer protocol notice to said payor financial institution, sending said e-mail across a network, sending an e-mail includes a hyperlink to said address, and generating an image of the notification check. The secondary reference is directed to a method facilitating secure financial transactions using email comprising the steps of receiving bill data at a server implementing the method, and generating an email message to a recipient with information including at least a portion of the received bill data. The amount of bill data included in the email message is based on the email address of the recipient and thus teaches that within the art of banking it is well known the step of sending an e-mail notifying a client of said at least of an item, generating a web file, generating an address for said Web file (Figures 12A and 12B); performing a scrubbing process (figure 10, 1012) , causing said address to expire at a predetermined time , sending an simple mail transfer protocol notice to said payor financial institution, sending said e-mail across a network, sending an e-mail includes a hyperlink to said address (figures 10 and 12), and sending an

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image of check are all well known and have the effects of automating the process of bill delivery and payment. The issue is whether it would have been obvious for one skilled in the art at the time to have looked to the secondary reference as a resource for further automating the positive pay system of the prior art. The examiner believes that it would have been obvious for one skilled in the art to have looked to the secondary reference as a means for further automating the positive pay system. The motivation for combining the references can be found in the secondary reference which teaches that the shortcomings associated with preparing a bank issuance which heretofore were presented via a batch type process can benefit from the process described in the secondary reference. Thus, one looking to further automate the batch bank issuance process of the primary reference would look to the secondary reference to solve the same problem, in the same industry, as that of the secondary reference.

As to the limitation, causing said address to expire at a predetermined time, the examiner takes official notice it is well known limit the access of web sites as a function of time and that the motivation for restricting access is also well known and includes issues relating to fraud and security. It would have been obvious for one skilled in the art at the time to have restricted access as a function of time as motivated the need to reduce fraud since fraud and security are art recognized variables in the banking industry.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard C Weisberger whose telephone number is 571 272 6753. The examiner can normally be reached during the hours of Maxiflex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vince Millin can be reached on 571 272 6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard C Weisberger
Primary Examiner
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